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September 22, 2005

**BY TELECOPY AND ELECTRONIC FILING**

The Honorable Kent A. Jordan  
United States District Judge  
844 North King Street, Room 4209  
Wilmington, Delaware 19801

Re: **Eames v. Nationwide Mutual Insurance Company**  
**C.A. No.: 04-CV-1324KAJ**

Dear Judge Jordan:

This letter is submitted on behalf of Nationwide Mutual Insurance Company ("Nationwide"). We are writing regarding the appointment of a special discovery master pursuant to the Court's instructions during the September 13, 2005 discovery conference held in this case.

Nationwide recommends Richard K. Herrmann of Morris, James, Hitchens & Williams. Mr. Herrmann is very experienced in this regard. He has published numerous books and articles relating to, and frequently lectures and teaches on the subject of, the law and technology. Mr. Herrmann also chairs the Delaware State Bar Association's Technology Committee, co-chairs the U.S. District Court's Technology Committee, and is a member of the District Court's Advisory Committee.

We have also reviewed Mr. Spadaro's September 20, 2005 letter submitted on behalf of the Plaintiffs. One of the alternative candidates recommended by Plaintiffs is James W. Semple of Morris James Hitchens & Williams LLP. As Plaintiffs point out, Mr. Semple has substantial experience in complex coverage issues and commercial litigation, and is a respected member of the Bar. As an alternative to Mr. Hermann, Nationwide would also agree and consent to the appointment of Mr. Semple.<sup>1</sup>

We remain available to provide further information upon the Court's request. Thank you for your attention to this matter.

Respectfully submitted,

*/s/Nicholas E. Skiles, Esquire*  
Nicholas E. Skiles, Esquire  
Delaware Bar I.D. #3777

cc: John Spadaro, Esquire

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<sup>1</sup> Another alternative candidate recommended by Plaintiffs is Keith E. Donovan. We wish to make the Court and Plaintiffs' counsel aware that Mr. Donovan is a former partner of our firm.